

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ERRID ALI,  
Plaintiff,  
vs.  
MELANIE ANDRESS-TOBIA  
Defendant

Case No. 2:12-cv-01571-JCM-CWH

## **ORDER**

This matter comes before the Court on Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* (#3), filed December 11, 2012. Plaintiff previously submitted documents, but did not pay the required filing fee of \$350.00 or file an application to proceed *in Forma Pauperis* in compliance with 28 U.S.C. § 1915(a)(1) and (2) and Local Rules ("LSR") 1-1.

Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in federal district court. The court may only authorize the commencement of an action without prepayment of fees and costs or security therefor, by a person who submits an affidavit that includes a statement showing the person is unable to pay such costs. 28 U.S.C. § 1915(a)(1); *see also* LSR 1-1 (“Any person, who is unable to prepay the fees in a civil case, may apply to the Court for authority to proceed *in forma pauperis*. The application shall be made on the form provided by the Court and shall include a financial affidavit disclosing the applicant’s income, assets, expenses and liabilities.”). Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* (#3) is denied without prejudice.

**IT IS FURTHER ORDERED** that the Clerk of Court shall mail Plaintiff a blank Application to Proceed *In Forma Pauperis*. Plaintiff shall have until **Tuesday, January 15, 2013**.

1 in which to file a completed Application to Proceed *In Forma Pauperis*, accompanied by a signed  
2 financial certificate. In the alternative, Plaintiff shall make the necessary arrangements to pay the  
3 filing fee of three hundred fifty dollars (\$350.00), accompanied by a copy of this Order. Failure to  
4 comply with this Order will result in a recommendation that Plaintiff's Application to Proceed *In*  
5 *Forma Pauperis* be denied with prejudice and this case dismissed.

6 DATED this 17th day of December, 2012.

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9 C. W. Hoffman, Jr.  
United States Magistrate Judge

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